PATENT
Docket No. 449

DECLARATION OF SMALL ENTITY STATUS
(Small Business Concern)

DECLARATION OF STATUS

I hereby declare that I am an official, and am empowered to act on behalf, of the small business concern identified below:

NOVX CORPORATION
830 Jury Court
San Jose, CA 95112

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR §121.3-18, and reproduced in 37 CFR §1.9(d), for purposes of paying reduced fees under §41(a) and §41(b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I further declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **"METHOD OF MONITORING ESC LEVELS AND PROTECTIVE DEVICES UTILIZING THE METHOD"** by inventor(s) Noel Verbiest, Lyle Nelsen, and Steven B. Heymann, described in the application filed herewith.

No other concerns have any rights to the invention.

ACKNOWLEDGEMENT

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28(b))

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued hereon.

Date: 4/27/01

Steven B. Heymann, President
NOVX CORPORATION

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COMBINED DECLARATION AND POWER OF ATTORNEY
(Joint Inventors)

As a below named inventor, I hereby declare that this declaration is for an original application. I believe I am one of the original and first joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"METHOD OF MONITORING ESC LEVELS AND PROTECTIVE DEVICES UTILIZING THE METHOD"

SPECIFICATION IDENTIFICATION

The specification for the above entitled invention is enclosed herewith.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the invention disclosed in this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a). I further acknowledge the duty in any continuation-in-part application to disclose to the Patent and Trademark Office all information known to be material to the patentability of the invention disclosed in this application, as defined in §1.56, which became available to me between the filing date of the prior application and the filing date of this application.

PRIORITY CLAIM

There is no claim of priority for this application.

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please forward all correspondence and telephone calls to:

Keith Kline, Reg. # 32,737
14910 Bonner Court
Morgan Hill, CA 95037-5925
(408) 778-3440

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued hereon. I hereby acknowledge the duty in any continuation-in-part application to disclose to the Patent and Trademark Office all information known to be material, as defined in §1.56, which became available to me between the filing date of the prior application and the filing date of this application.

Date: 4/30/01

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Date: 4/27/01

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